

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BILLY DRIVER, JR.,

No. C 10-2226 SI (pr)

Plaintiff,

**ORDER**

v.

B. HEDRIC, warden; et al.,

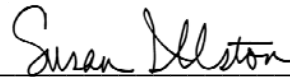
Defendants.

Plaintiff has filed a notice of appeal from the order of dismissal and judgment entered on July 6, 2012. In his notice of appeal, plaintiff requested the recusal of the undersigned. (Docket # 76.) The recusal request is DENIED because plaintiff did not provide a "timely" affidavit that the undersigned "has a personal bias or prejudice either against him or in favor of any adverse party," 28 U.S.C. § 144.

Plaintiff has filed a motion for copies of several documents and for the court reporter to prepare a transcript for appeal. The motion is GRANTED in part. (Docket # 81.) The clerk will send to plaintiff a copy of Docket #s 4, 17, 24, 34, 35, 48, 49, 51-55, 62-64, 65, and 68-72. No oral hearings were held in this action; thus, there is nothing for a court reporter to transcribe. All further motions should be filed in the Ninth Circuit in the pending appeal.

IT IS SO ORDERED.

Dated: November 13, 2012

  
SUSAN ILLSTON  
United States District Judge